

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AFFIDAVIT OF COUNSEL IN SUPPORT OF
MOTION FOR A CONTINUANCE

I, Eduardo Masferrer, do hereby depose and say that the following is true to the best of my knowledge, understanding and belief:

1. I am an attorney and have been appointed to represent the Defendant Kirk Rinaldi
2. The case is scheduled for a Status Hearing on December 7th, 2007 at 2:15pm.
3. Counsel would state that due to an unexpected medical emergency in his family, he is unable to present himself in Court at this time.
4. Counsel has left a message with AUSA James Lang regarding the above situation but has not yet heard back from him.
5. Should the Court grant this continuance, Counsel would suggest a date of December 13th, December 18th or December 19th, 2007 in the afternoon for the Defendant's Status Hearing.

____ /”Eduardo Masferrer”/ _____
Eduardo Masferrer